

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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In the Matter of:)	
)	
Implementation of Pay Telephone)	
Reclassification and Compensation)	CC Docket No. 96-128
Provisions of the Telecommunications Act)	
of 1996)	
)	DA 03-4027
Petition for Rulemaking or, in the)	
Alternative, Petition to Address Referral)	
Issues In Pending Rulemaking)	
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**COMMENTS OF CITIZENS UNITED FOR REHABILITATION OF ERRANTS
IN RESPONSE TO THE WRIGHT PETITION FOR RULEMAKING**

Citizens United for Rehabilitation of Errants (“CURE”) hereby responds to the Commission’s public notice¹ in the above-referenced proceeding seeking comment on exclusive service arrangements and other restrictions on prison inmate calling options that were raised by Martha Wright and other prison inmate and non-inmate petitioners (“*Wright Petition*”).² CURE agrees with the *Wright Petition* that exclusive service arrangements between providers of inmate calling services and privately administered prison facilities, as well as the excessive commissions that service providers pay to the administrators for the right to provide these monopolized

¹ FCC Public Notice, *Petition for Rulemaking Filed Regarding Issues Related to Inmate Calling Services, Pleading Cycle Established*, CC Docket No. 96-128, DA No. 03-4027 (Dec. 31, 2003). The deadline for comments, which was initially February 9, 2004, was extended to March 10, 2004.

² Martha Wright, et al. *Petition for Rulemaking or, in the Alternative, Petition to Address Referral Issues in Pending Rulemaking* (Oct. 31, 2003).

telephone services, should be prohibited. The introduction of competitive telephone services in such prison facilities would help lower the excessively high rates that friends and family incur when trying to maintain ties with their loved ones who are incarcerated.³

I. INTRODUCTION AND SUMMARY.

CURE is a non-profit nationwide organization dedicated to the reduction of crime and the rehabilitation of criminal offenders through the reform of the criminal justice system.⁴ CURE, which is headquartered in Washington, D.C., has chapters or affiliates in most states and maintains direct contact with inmates and their families and friends. Through its advocacy efforts and research, CURE has determined that the rehabilitation process greatly assists in the reintegration of prisoners back into society as law-abiding citizens.

Rehabilitation, however, requires consistent contact between an inmate and his or her family and friends from the “outside” world. Such contact requires an effective means of communication, which is often limited to telephone calls. As the *Wright Petition* explained, inmate telephone services are typically limited to collect calling services; thus, the burden of paying for inmate calls is placed on those on the receiving end of the calls. Consumers who receive collect calls from inmates are often economically disadvantaged and are forced to pay exceptionally high calling fees in order to maintain contact with the family member, loved one or friend that is imprisoned. These excessive fees are due to the lack of competition in the provision of inmate telephone services at any given facility and the commissions inmate

³ CURE supports the implementation of similar relief in all prisons, even though the *Wright Petition* addresses only long distance calling services provided to inmates in privately administered prison facilities.

⁴ CURE’s members include current and former inmates, their families and friends, federal, state and local legislators, religious and civic leaders, other non-profit charitable organizations, and other supporters interested in promoting the rehabilitation of inmates.

telephone service providers pay to prison administrators in exchange for the exclusive right to provide telephone service in each prison.

CURE has been involved with the issue of inmate telephone services for many years. Throughout that time, CURE has urged the Commission to take steps to introduce competition in the provision of inmate calling services and to lower calling rates for such services. The *Wright Petition* demonstrates that more than one telecommunications carrier can provide calling services within a prison and that multiple calling choices, such as debit card or debit account calling services, can be offered to inmates without compromising necessary penological and security measures. Furthermore, the *Wright Petition* shows that rates for inmate calling services are driven up by the lack of competition and the large commissions that carriers pay to prison administrators for the exclusive right to serve a facility.

Therefore, CURE supports the *Wright Petition* and urges the Commission to: (1) require prison facilities to permit competition in the provision of inmate calling services and to allow inmates a choice of different types of calling services, including debit card and debit account services; and (2) ban the payment of commissions to prison administrators except to the extent that they reimburse costs directly connected to the provision of telecommunications services to inmates.

II. CURRENT POLICIES REGARDING INMATE TELEPHONE SERVICES HINDER REHABILITATION OF, AND SUCCESSFUL REENTRY INTO SOCIETY BY, INMATES.

The *Wright Petition* describes in detail the exclusive dealing arrangements and restrictions on inmate calling that currently exist in prison facilities; therefore, CURE will not repeat them here. The Commission has long condoned these practices based upon the

assumption that security and penological considerations made them necessary.⁵ These practices, and the Commission's policies supporting them, however, thwart rehabilitation efforts and the reintegration of inmates back into mainstream society.

CURE's efforts have demonstrated that inmates can be rehabilitated and rejoin society as law-abiding citizens. One of the key factors in rehabilitation and reentering the community is the maintenance of ties with family and friends. The connection between inmates and family and friends can be preserved only through three means of communications – letters, visits and telephone calls. As discussed below, however, telephone calls are often the only feasible means of communicating with inmates.

CURE has found that letters are not as effective as visits and telephone calls due to the time delays inherent in corresponding by mail. Furthermore, many inmates are imprisoned in jails that are located great distances from their loved ones. This is particularly true for those incarcerated in private prison facilities, who are often “exported” from their home states due to overcrowding. As previously mentioned, those trying to maintain ties to inmates are often economically disadvantaged.⁶ Thus, visits to incarcerated family members and friends are virtually impossible due to travel costs and the need to take time off from work. As a result, it is typical for inmates that are imprisoned far from family and friends to rarely, if ever, see spouses, parents, children, other family members and friends.

⁵ See, e.g., *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, 17 FCC Rcd 3248, 3276 (2002) (“*Inmate Payphone NPRM*”).

⁶ Even prior to the enactment of Section 254 of the Communications Act, the Commission had implemented a complex universal service support program to ensure that telephone rates for those located in rural and underserved areas, where it is typically more costly to provide service, pay rates that are comparable to those in urban areas. Users of inmate calling services are similarly disadvantaged because they do not have access to reasonably priced services; however, they are not afforded similar protection from excessive rates charged for inmate calling services.

The *Washington Post* reported less than a year ago that one-third of offenders convicted in Washington, D.C. are located in prisons more than 500 miles away from D.C.⁷ Some D.C. inmates are housed as much as 900 miles away. D.C. Mayor Anthony Williams recognized that “when prisoners have contact with their families, and that is coupled with good rehabilitative programs... then it pays dividends down the road because you have less recidivism.”⁸ This problem is not unique to D.C., but is typical across the country.

The current situation in prisons, however, makes it extremely difficult for inmates to maintain ties to the community, family and friends. Many family members and friends struggle to maintain contact with inmates in light of the excessively high calling rates associated with inmate calling services. CURE receives numerous reports each month from inmates and those trying to contact inmates protesting the oppressive rates and charges they incur for telephone services. CURE is often told that families are finding it difficult, if not impossible, to sustain ties with inmates because of the charges associated with calls from prisons. The following examples are just some of the complaints CURE has received regarding high inmate calling rates:

- One mother wrote to CURE that her son’s calls were being blocked by the company providing inmate calling services because she would not prepay her account.⁹ The mother, located in Florida, stays in touch with her son by telephone, who is incarcerated in Kansas. She wrote that she felt she was being subject to “emotional blackmail” in order to maintain a relationship with her son and that the inmate service provider has “all the power.... I am being punished because I will not prepay for a service and if I don’t then they will not let me talk to my son.... I feel so helpless in this fight.”¹⁰

⁷ Arthur Santana, *Locked Down and Far From Home*, Wash. Post, Apr. 24, 2003, at B1 (attached hereto as Exhibit A).

⁸ *Id.* quoting Mayor Anthony A. Williams of Washington, DC.

⁹ E-mail from “Christine” to CURE (Oct. 1, 2003) (attached hereto at Exhibit B).

¹⁰ *Id.*

- Another person informed CURE that her monthly telephone bill exceeded \$1200 in collect calling charges in order for her to stay in contact with her fiancé, who is in prison.¹¹ When asked about the high charges, her carrier told her that “the [inmate telephone] equipment was expensive and that every company that has phones in the prison system charged similarly for rates out of correctional facilities.” They also told her that if she did not want to pay these charges, she could chose not to use them and simply write letters to her fiancé.¹²
- An inmate wrote to CURE that the high inmate calling rates incurred by her family and friends make it difficult to stay in contact with each other. “Most of us [inmates] have children who we would love to be able to talk to and also they cannot come to visit us very often as they live too far away[,] or [the caretakers] who they are living with are working and cannot bring them to see us.”¹³
- Another parent expressed that “[w]hen communications with friends and family should be recognized for its capability of keeping an inmate connected with the outside world, it is less than brave or intelligent for institutions to overcharge those involved.”¹⁴
- CURE has also received complaints of inmate calling rates ranging from around \$1 per minute to more than \$5 for a one minute call.¹⁵

As the *Wright Petition* demonstrated, excessive inmate calling charges are not due to the cost of equipment but to the lack of competition in the inmate calling market and the commissions paid to prison administrators. The only “choice” these consumers have, if they want to maintain ties to an inmate, is to pay these unreasonably high calling fees or to communicate by letter, neither of which is an adequate alternative.

Furthermore, some inmates are limited to collect calling services and are not offered cheaper alternatives, such as debit card or debit account services. Under a debit system, an

¹¹ E-mail from “Nicole” to CURE (May 25, 2003) (attached hereto at Exhibit B).

¹² *Id.*

¹³ Letter from “Edith” to CURE (attached hereto at Exhibit B).

¹⁴ Letter from “Dan” to CURE (June 22, 2003) (attached hereto at Exhibit B).

¹⁵ E-mail from “Gary” to CURE (Oct, 1, 2003), e-mail from “Tricia” to CURE (Mar. 14, 2003) (attached hereto at Exhibit B). Additional correspondence CURE has received regarding inmate calling services also are attached at Exhibit B.

inmate (or others on behalf of an inmate) can purchase debit cards or deposit money into a specific account, which can be used to pay for the inmate's telephone calls. Collect calling services are often more expensive than debit services, preventing inmates and their loved ones that are on limited budgets from spending more time maintaining those relationships that have been proven to help rehabilitate prisoners.

III. THE INTRODUCTION OF COMPETITION AND THE PROHIBITION OF EXCESSIVE COMMISSIONS IN THE PROVISION OF INMATE CALLING SERVICES WOULD SERVE THE PUBLIC INTEREST.

In every other market, the Commission has promoted competition in telecommunications services because competition encourages innovation and new technologies, puts downward pressure on rates, and provides incentives to carriers to operate efficiently. Congress codified this principle in the Telecommunications Act of 1996, which has the underlying goal of “promot[ing] competition and reduc[ing] regulation in order to secure lower prices and higher quality services for American telecommunications consumers.”¹⁶ Section 201(b) of the Communications Act of 1934, as amended (the “Act”), also provides that “[a]ll charges, practices, classifications, and regulations for and in connection with such communication service, shall be just and reasonable.”¹⁷

Existing policies concerning inmate telephone services, however, are contrary to these goals and unreasonable under Section 201(b) of the Act. Furthermore, they tear at the very fabric of an inmate's social and familial support system, increasing the risk of recidivism. Those family members and friends that pay to receive calls from inmates are consumers of telecommunications services and have committed no crime. They should not be treated as the

¹⁶ Telecommunications Act of 1996, Pub. L. No. 104-04, purpose statement, 110 Stat. 56, 56 (1996).

¹⁷ 47 U.S.C. § 201(b).

last captive monopoly telecommunications market and should be afforded the same competitive benefits as all other consumers, even though they are communicating with incarcerated individuals. The exclusive arrangements between service providers and prison administrators and the excessive commissions paid to administrators needlessly punish those family members and friends that pay for inmate calling services.

The Commission has previously recognized that the prison environment lacks competitive telecommunications services and that rates for inmate calling services are dramatically higher than comparable services available to the general public.¹⁸ This lack of competition has long been justified under the assumption that “special security requirements applicable to inmate calls” require that only one carrier provide calling services to a prison facility.¹⁹ CURE recognizes that the prison environment is unique in that certain security precautions must be taken, such as monitoring of calls, blocking certain numbers, etc. The Commission, however, as the *Wright Petition* accurately noted, has never questioned the assumption that such legitimate security functions are incompatible with competition or tried to determine whether they could be satisfied when more than one carrier provided calling services in a prison.²⁰

The *Wright Petition* demonstrates that technical solutions do exist whereby competitive inmate calling services and carriers can co-exist in a prison facility while meeting all security

¹⁸ *Inmate Payphone NPRM*, 17 FCC Rcd at 3253; *see also Billed Party Preference for InterLATA 0+ Calls*, Second Report and Order and Order on Reconsideration, 13 FCC Rcd 6122, 6156 (1998) (“*0+ Second Report*”), *modified* 16 FCC Rcd 22314 (2001).

¹⁹ *0+ Second Report*, 13 FCC Rcd at 6156; *see also Billed Party Preference for InterLATA 0+ Calls*, Second Order on Reconsideration, 16 FCC Rcd 22314, 2232-23; *Amendment of Policies and Rules Concerning Operator Service Providers and Call Aggregators*, 11 FCC Rcd 4532, 4546-48 (1996).

²⁰ *Wright Petition* at 10.

and penological goals. Although the members of CURE are not experts on the technology used in prison telephone systems, we are encouraged by the information and proposals contained in the *Wright Petition*. The affidavit of Douglas Dawson in the *Wright Petition* offers a reasonable, cost-effective technical solution pursuant to which competition in inmate telephone services can exist in a prison. Accordingly, CURE urges the Commission to allow private prison facilities to allow competitive inmate calling services pursuant to Mr. Dawson's proposals or any other technical means that may be available now or developed in the future.

CURE also urges the Commission to prohibit providers of inmate calling services from offering or paying commissions to privately administered prisons to secure exclusive service contracts. Providers of inmate calling services typically recover the cost of these commissions by levying excessive rates on users of inmate calling services. Those paying for the inmate calls – *i.e.*, the family and friends of those inmates – are unreasonably and unnecessarily penalized for trying to maintain ties to loved ones who are incarcerated.

Furthermore, in CURE's experience, many inmates are not provided with alternative calling services to collect calls, such as debit card and debit account services. CURE has long supported the use of alternative calling services that may be less expensive than collect calls and that may exert downward pressure on collect calling rates. CURE noted in its comments responding to the *Inmate Payphone NPRM* that the federal penal system and some state prison systems have successfully implemented debit card calling.²¹ The security measures prison administrators must employ can be utilized when a debit system is used as well as when a collect calling system is used. CURE also explained in its comments that debit calling can substantially reduce inmate calling rates by eliminating costs for operator services, billing and collection, and

²¹ CURE Comments, *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-128, at 7 (May 24, 2002).

bad debt.²² Accordingly, the Commission should require providers of inmate calling services to offer debit card and debit account services as an alternative to collect calling services and should require private prison administrators to permit such options, providing inmates and those that contact inmates with some degree of choice.

IV. CONCLUSION.

The Commission should prohibit exclusive service arrangements between inmate calling service providers and privately administered prison facilities, as well as the excessive commissions that service providers pay to the administrators under these arrangements. The lack of competition for inmate calling services harms inmates and their family members and friends that typically pay for inmate calls by driving up rates. As a result, it is very difficult for inmates to maintain ties with their community and family and friends, diminishing their chances of rehabilitation and reentry into society as law-abiding citizens. Accordingly, the Commission must take steps to maximize the opportunities for communications between inmates and their families and friends through long distance telephone calls at just, reasonable and affordable rates.

Respectfully submitted,

/s/ Charles Sullivan

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March 10, 2004

²² *Id.*

CERTIFICATE OF SERVICE

I, Charles Sullivan, hereby certify on this 10th day of March, 2004, that a copy of the foregoing Comments has been served via electronic mail (*) or first class mail, postage pre-paid, to the following:

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Exhibit A

MIETRO

THURSDAY, APRIL 24, 2003

Locked Down and Far From Home

One-Third of D.C. Prisoners Incarcerated More Than 500 Miles Away

By ARTHUR SANTANA
Washington Post Staff Writer

The federal Bureau of Prisons has not kept its promise to house D.C. inmates in prisons within 500 miles of the city, having placed more than 30 percent in facilities as far away as Texas and California, recent government statistics show.

Bureau officials said that Congressional budget delays, which have slowed construction of prisons, and the agency's decision not to renew contracts with three institutions in Virginia have made it more difficult to incarcerate D.C. inmates in facilities closer to home. The percentage of city inmates in far-flung prisons has increased steadily during the past four years.

City officials and prisoner advocates are worried about the trend, citing studies that suggest that prisoners who keep in touch with relatives have a smoother transition back into their communities when they are released.

"I think it's pretty much been shown that when prisoners have contact with their families, and that is coupled with good rehabilitative programs . . . then it pays dividends down the road because you have less recidivism," Mayor Anthony A. Williams (D) said yesterday. He said the



BY BILL O'LEARY — THE WASHINGTON POST

Diamond Anderson, 11, right, and her sister Shavohn, 13, chat with their imprisoned father, Stuart Anderson, via the Internet at Hope House, run by Carol Fennelly, left.

figures "were cause for concern."

The federal government agreed to take over expenses for D.C. prisoners in 1997 as part of a bailout of the financially strapped District. Part of the agreement meant that the Lorton Correctional Com-

plex in Fairfax County would close and thousands of D.C. inmates would be absorbed into the federal system. The bureau's policy is to house inmates no more

See PRISONERS, B4, Col. 1

THE DISTRICT

More D.C. Inmates Being Held Farther Away, Despite Prison Bureau's Promises

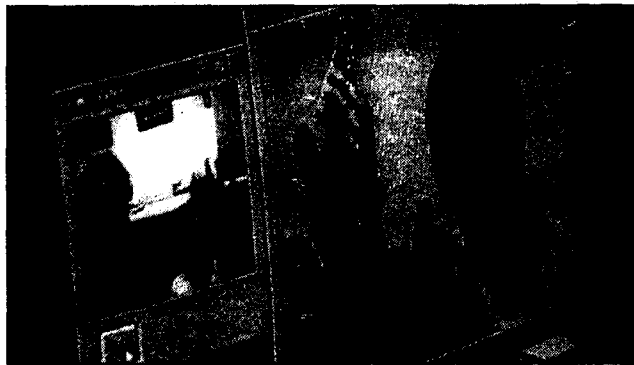
PRISONERS, From B1

than 500 miles from the city where they intend to live after they are released.

Though the numbers fluctuate, a snapshot of figures for the past four years shows a steady increase in the number of inmates housed outside the 500-mile boundary. In 2000, 12 percent of D.C. inmates were incarcerated in federal prisons farther than 500 miles from Washington. In 2001, the number climbed to 17 percent. By March 2002, four months after Lorton closed, it was 19 percent, according to the bureau.

The figures are important, say advocates for prisoners' rights, because inmates who lose touch with relatives are more likely to be on shaky footing when they reenter society and to return to crime. Those convicts also are more susceptible to prison abuse and are less likely to have access to D.C. law books or attorneys, the advocates say.

D.C. Police Chief Charles H.



BY BILL O'LEARY — THE WASHINGTON POST

Stuart Anderson and daughters Diamond and Shavohn teleconference.

Ramsey has attributed the recent spike in homicides, in part, to the large numbers of ex-convicts returning to city streets after completing prison sentences.

Gayle Hebron used to drive every week to visit her son, Elauin Hebron, 28, when he was at Lorton. Now he is at the federal penitentiary

in Leavenworth, Kan., more than 900 miles away. For more than a year, Hebron said, she has not seen her son. "The bus trip is something like two days, and I just can't do that," she said. "It's horrible."

Del. Eleanor Holmes Norton (D-D.C.) said she was concerned about the large numbers of D.C. inmates

so far from Washington and the possible lack of access to services.

"It is time for us to look into this issue and to put some fire under the [Bureau of Prisons]," Norton said. "I want to know whether there are any alternatives . . . and that's why I'm going to ask for a hearing."

The new director of the federal Bureau of Prisons, Harley G. Lappin, who started this month, was out of town and unavailable for comment, a spokesman said.

"The bureau remains committed to the goal of housing the great majority of D.C. inmates within 500 miles of the District," bureau spokesman Dan Dunne said this week.

Carol Pennelly, director of Hope House, a District-based group that connects incarcerated fathers with their children in Washington, said her organization hosts summer camps at the federal prisons in Winton, N.C., and Cumberland, Md., where children enter the prison with their fathers for several hours a

day for about a week.

The group also takes a vanload of family members to either the federal prison in Jonesville, Va., or Edgefield, S.C. But, Pennelly said, such valuable programs are impossible for distant prisoners.

"Camp isn't even possible in a prison that far away," Pennelly said, adding that she has been trying to organize a trip to the federal penitentiary in Atlanta, where there are 364 D.C. inmates, but that it's too far.

Last year, bureau officials said that one of the reasons inmates could not be placed in closer prisons was that they had only two high-security prisons nearby—in Pennsylvania, at Allenwood and Lewisburg, each about 200 miles away. They said the bureau's policy of not housing large numbers of inmates from a single geographic location in a single penitentiary prohibits concentrating high-security D.C. felons in the Pennsylvania institutions.

The bureau also considers other

factors in deciding where to commit inmates, such as length of sentence, the prisoner's crime, history of violence or escapes, and medical or psychological needs.

Dunne said that because the 2003 federal budget didn't take effect until February, the bureau delayed the opening of two maximum-security prisons in Kentucky. Both are expected to open by early next year, but it's not known how many D.C. inmates could be transferred there, Dunne said.

Not everyone is unhappy with their out-of-bounds placements.

Thelma Parks of Northeast Washington said that her son, Joseph Smith, 50, is housed in the federal penitentiary in Coleman, Fla., which is much farther than she'd like him to be. But, she said, he likes it there better than when he was at Lorton.

"He says they treat him better there," Parks said. "I asked him if he wanted to be moved, and he said, 'No.' I have to honor his wishes."

Exhibit B

----- Original Message -----

From:
To: @curenational.org>
Sent: Wednesday, October 01, 2003 2:44 PM
Subject: ETC Feedback

> Below is the result of your feedback form. It was submitted by
> on Wednesday, October 01, 2003 at 14:44:09

> -----
> -----

> name: christine

> propname:

> homephone:

> comments: This is a letter i sent to correctional billing services
> which i

recieved no satisfaction for...the second letter i sent to the fcc and public utilities
commission in kansas....which is where my son is now....i also sent the same second letter
to jeb bush...is there anywhere else i can write to get my point across....thanks for your
time christine

> I am writing in regard to my bill. My name is Christine My

> phone
number is

> I feel that your company is using emotional blackmail in order for me

> to
talk to my son who is serving time in Salina County Jail, Salina , Ks.

> No where does it say how many times I can talk before my Phone becomes
restricted/blocked.In the past 2 weeks my phone has been blocked .The only way I have
found this out is because my son has written me or called another relative. The first
time they said I had to prove that my Bell South bill was paid up. I called on a
Saturday. The man that I talked to told me that I would have to wait until Monday to clear
my line because Bell South was closed. When I got off the phone with him I called Bell
South and they were not closed. The lady stayed on the line approximately 45 minutes
waiting to talk to one of your representatives and got it cleared that day. This time it
was blocked because of "high usage". I spoke to my son and his girlfriend(they are both
in the same jail) at least 5 times in one day. On Sept 30th my son had court and I did not
know that my phone was blocked until I got a phone call from one of my relatives telling
me that my son had called them and told th!

> em. I was told by your company that the only way I could unrestricted

> my
line was by paying them 100 dollars now or my line would stay restricted until it was
paid.

> This is my problem. Why does my credit limit say 950 dollars? I have
never come close to owing that much. Yet I take one day out of the month to talk "over my

limit" and now my line is restricted until I pay....or as I am told I can Prepay. What your company is not doing is "being dedicated" to me and my incarcerated loved ones. I understand that there are people that would charge up alot if you did not somehow restrict them...but where are the rules? I was never told I couldn't talk this much on any given day. Am I suppose to call your lines every day to see if my line is restricted or not? I was never notified that my line was restricted. I have a letter into the FCC and I am going to call them today. I can not believe a legitimate company could treat it's customers the way I am being treated. I feel that you can not have blanket rules without notifying your customers and then when they are "broken" close down their phone lines. I have never in my life had to deal!

> with such treatment. I could even understand a prepay if I had bad credit which I do not.

>

> I will close for now...but I am not going away

>

>

>

>

>

>

> To Whom it may concern:

>

> My name is Christine I live in Florida. My son is in Salina

> County

Jail awaiting trial. The Correctional Billing Services are unfairly blocking calls from my loved one. This is the 2nd time in the last 2 weeks that my phone has been blocked. I have never been late on a utility payment and find no reason for them to expect me to "prepay" in order for me to get my calls on a regular basis. The scenario is as follows: Sept.20th I received a letter from my son stating that our line was restricted. I called CBS and asked why. I was told that they would have to verify that my phone bill was paid before they could "unblock" my phone. I was then told after waiting a long time that BellSouth (my local phone company) was closed and I would have to wait until Monday. After I got off the phone with CBS I tried my phone company and they were open. A woman at the phone company took care of the problem and my line was unrestricted. I called back CBS to make sure and I then asked!

> them to start mailing a separate bill to me. I was informed that

> they do

not do that and the only way to make sure my bill was paid in a timely manner was to prepay. I did not want to do that because I do not know how long my son will be at the county jail. Then this Tues. Sept. 30th. I got a call from another relative telling me that my son had called them and said my phone was blocked again. I then called CBS again and asked why. I was told that I had excessive calling. On Sept. 22nd I had spoken to my son several times and the CBS charges were 100 dollars. I knew that this was true but I still couldn't understand why my line was being blocked since when I called I was told that I had a 950 dollars credit limit(my phone bill has never gone over 200 dollars). They said it didn't matter how much my credit limit was I talked too much in one day and until I paid the 100 dollars my line would continue to be blocked. They said I could pay by credit card right then and take !

> care of immediately. I said no way. My phone bill had just come in and

> on

it for CBS was that I owed 25 dollars. I feel that I should have been notified of these rules and that I should have been notified immediately that my line was blocked. My feeling is that they want prepayment period. I feel like I am being blackmailed with my son a carrot hanging over my head. Pay the money or you cant talk to your son.

> I have called them each time and given them other ways to get their

> money.

I am more than willing to pay my bills. They have all the power. My son's being in prison has nothing to do with the phone service. I could understand if he was being punished by the jail and my phone was blocked but this is not the case. I am being punished because I will not prepay for a service and if I don't then they will not let me talk to my son.

> I don't know what I want you to do. I feel so helpless in this fight.

> If

there is something that you could do I would appreciate it. If there is somewhere else I could write please let me know. I am will to send this letter to anyone and everyone. I know there is not just one of us who is having this problem.

> Thank you for your time and consideration

> Christine

From:
To: @curenational.org>
Sent: Sunday, May 25, 2003 7:50 PM
Subject: CURE Contact Form

> Below is the result of your feedback form. It was submitted by
> on Sunday, May 25, 2003 at 19:50:18

> -----
> ----

> -
>
>
> name: Nicole

>
> Addyl:

>
> City:

>
> St:

>
> Zip:

>
> Phone:

>
> cc_visitor: 1

>
> Message: Dear Cure:

>
> I was reading an article on companies that are overcharging families
> of

inmates for phone services and found your name being referred to several times. I am wondering if you can help me.

> I am the fiance of a man who has been incarcerated for four months (he
> has

three more to go). Throughout his incarceration he was forced to call me "collect" every week. My phone bill was over \$1200.00. When I spoke to the phone company (AT&T) and asked why the bill was so high I was told that the equipment was expensive and that every company that has phones in the prison system charged similarly for rates out of Correctional facilities. The other question I had for At&T was why I was sometimes charged these enormous surcharges sporadically and other fees which were not given to me at the time of the call. The customer service agent told me simply that I did not have to use the service and could choose instead to write a letter to my fiance in jail. Now AT&T has cut my collect phone service off or blocked it until I pay for the phone calls. To add insult to injury they also stated that once the bill was paid in full, I would have to pay a \$500.00 deposit to have the block lifted!

> I am. I have no way to pay this bill and seriously wonder how these companies can get away with such unethical business practices. To me this is gouging a consumer already at the bottom of the financial scale.

> Can you help me with this problem? I also wonder if your group needs volunteers to help you out? I would be very interested in seeing that these companies stop hurting families who already have been hurt enough.

> By the way, other members of my fiance's family have also been treated
> to
these horrifically high bills and have had their phones put on block as well. As it stands
he is only able to call one other person because she has not had her phone cut off as yet.
> I would appreciate any feedabck you might give me regarding this
> matter.
>
> Thank you in advance,
>
> Nicole
>
> -----
> ----
> -
>
>

Edith
Wyoming Women's Center
P.O. Box 20
Lusk, Wyo. 82225

CURE

P.O. Box 2310
Washington, DC 20013

CURE:

I am a inmate here at the Wyoming Women's Center. I have been here for just about 2 years now and do still have some time left to do here.

I would very much like to obtain a complete report from you as our families and ~~for~~ friends have told us that their phone bills get to being pretty high.

It makes it very tuff on us and also for them for us to call. Most of us have children who we would love to be able to talk to and also they cannot come to visit us very often as they live too far away or who they are living with are working and cannot bring them to see us.

I am on a group called the Assist Team. This team is in a position more so to have more contact with our Warden here.

She knows we are unhappy about this problem and we have asked about using calling cards instead of

having to do collect calls. We get one excuse after another dealing on this.

The phone company that is being used is MCI. They have even put blocks on some families phones until they have to pay to have the blocks taken off.

They have been known to request any where from \$50⁰⁰ and on up to the highest that I have heard is \$250⁰⁰ so far that is.

Some families cannot afford that much and so we ~~then~~ then cannot call our families which is hard on us and them. I am not only speaking for myself but for all of us here.

Some have even tried to do time and charge calls on weekends. Those calls are just as high as the collect calls here.

I did find your address in the Inside Journal.

I would like to say Thank You for it being there in a time when we needed it here.

So Thank You once again

Sincerely,

Edith

To Whom It may Concern:

June 22, '03

In response to your request to receive collect phone bill statements whose calls originated in a state penitentiary, I submit the included phone bills. Each call originated from the Oregon State Penitentiary (OSP) from my son, , via an automated voice system. There never was an actual operator involved.

These call range in price from \$1.04 per minute to \$1.40 per minute, based on length of the call whereas longer calls receive a reduced per minute rate. These rate far exceed direct dial call rates to most all other countries in the world. The calls actually were from Oregon to Florida.

If I can be of any assistance in this class action suit please enlist my cooperation. It is a crime within itself that such rates should be charged inmates or the friends and families of inmates. When communication with friends and family should be recognized for its capability of keeping an inmate connected with the outside world, it is less than brave or intelligent for institutions to overcharge those involved. I am willing to work with you to fight this corruption within the institution.

Dan

A handwritten signature in cursive script, appearing to read 'Dan', written in black ink.


AT&T charges
Call 1-800-222-0300 for billing inquiries
Sprint provides billing on behalf of AT&T.
There is no connection between Sprint and AT&T.
Please review all charges appearing in this section. Any question regarding these charges should be referred to the number provided for billing inquiries.
Summary of AT&T charges
Long Distance services

Direct dial charges 176.40

Taxes

Federal tax 5.42

Local Comm. Services Tax 4.30

State Comm. Services Tax 4.18

Total AT&T charges \$190.30
Direct dial itemized calls for

	Date	Time	Place called	Number called	Period	Minutes	Amount
3	Jan 16	3:13 P	LAKEPLACID, FL		Day	20.0	22.05
		from	PAYPHONE, OR	503-391-9403	Operator assist		
4	Jan 17	3:20 P	LAKEPLACID, FL		Day	12.0	14.93
		from	PAYPHONE, OR	503-391-9403	Operator assist		
5	Jan 22	3:14 P	LAKEPLACID, FL		Day	18.0	20.27
		from	PAYPHONE, OR	503-378-9465	Operator assist		
6	Jan 25	3:24 P	LAKEPLACID, FL		Day	10.0	13.15
		from	PAYPHONE, OR	503-391-9403	Operator assist		
7	Jan 28	3:11 P	LAKEPLACID, FL		Day	23.0	24.72
		from	PAYPHONE, OR	503-391-9403	Operator assist		
8	Feb 4	3:14 P	LAKEPLACID, FL		Day	22.0	23.83
		from	PAYPHONE, OR	503-391-9408	Operator assist		
9	Feb 7	2:09 P	LAKEPLACID, FL		Day	29.0	30.06
		from	PAYPHONE, OR	503-378-9653	Operator assist		
10	Feb 11	3:12 P	LAKEPLACID, FL		Day	26.0	27.39
		from	PAYPHONE, OR	503-391-9414	Operator assist		

Total direct dial charges \$176.40


AT&T charges
Call 1-800-222-0300 for billing inquiries
Sprint provides billing on behalf of AT&T.
There is no connection between Sprint and AT&T.
Please review all charges appearing in this section. Any question regarding these charges should be referred to the number provided for billing inquiries.
Summary of AT&T charges
Long Distance services

Direct dial charges 146.34

Taxes

Federal tax 4.49

Local Comm. Services Tax 3.57

State Comm. Services Tax 3.47

Total AT&T charges \$157.87
Direct dial itemized calls for

	Date	Time	Place called	Number called	Period	Minutes	Amount
1	Mar 24	2:46 P	LAKEPLACID, FL from PAYPHONE, OR	503-391-9407	Night/Weekend Operator assist	21.0	22.94
2	Mar 25	3:08 P	LAKEPLACID, FL from PAYPHONE, OR	503-378-9533	Day Operator assist	28.0	29.17
3	Mar 31	9:38 A	LAKEPLACID, FL from PAYPHONE, OR	503-391-9416	Night/Weekend Operator assist	10.0	13.15
4	Apr 1	3:20 P	LAKEPLACID, FL from PAYPHONE, OR	503-378-9534	Day Operator assist	13.0	15.82
5	Apr 5	3:08 P	LAKEPLACID, FL from PAYPHONE, OR	503-391-9401	Day Operator assist	27.0	28.28
6	Apr 12	3:14 P	LAKEPLACID, FL from PAYPHONE, OR	503-391-9402	Day Operator assist	26.0	27.39
7	Apr 15	9:38 A	LAKEPLACID, FL from PAYPHONE, OR	503-391-9401	Day Operator assist	6.0	9.59

Total direct dial charges \$146.34

**AT&T charges****Call 1-800-222-0300 for billing inquiries***Sprint provides billing on behalf of AT&T.**There is no connection between Sprint and AT&T.**Please review all charges appearing in this section. Any question regarding these charges should be referred to the number provided for billing inquiries.***Summary of AT&T charges****Long Distance services**

Direct dial charges 53.00

Taxes

Federal tax 1.63

Local Comm. Services Tax 1.29

State Comm. Services Tax 1.26

Total AT&T charges \$57.18**Direct dial itemized calls for 863-465-6545**

	Date	Time	Place called	Number called	Period	Minutes	Amount
1	May 4	7:24 P	LAKEPLACID, FL		Night/Weekend	20.0	22.05
		from	PAYPHONE, OR	503-378-9455	Operator assist		
2	May 5	3:01 P	LAKEPLACID, FL		Night/Weekend	30.0	30.95
		from	PAYPHONE, OR	503-391-9403	Operator assist		

Total direct dial charges \$53.00


AT&T charges
Call 1-800-222-0300 for billing inquiries
Sprint provides billing on behalf of AT&T.
There is no connection between Sprint and AT&T.
Please review all charges appearing in this section. Any question regarding these charges should be referred to the number provided for billing inquiries.
Summary of AT&T charges
Long Distance services

Direct dial charges 222.28

Taxes

Federal tax 6.83

Local Comm. Services Tax 5.42

State Comm. Services Tax 5.27

Total AT&T charges \$239.80
Direct dial itemized calls for

	Date	Time	Place called	Number called	Period	Minutes	Amount
6	Dec 17	9:35 A	LAKEPLACID, FL from PAYPHONE, OR	503-391-9415	Day Operator assist	13.0	15.82
7	Dec 18	2:52 P	LAKEPLACID, FL from PAYPHONE, OR	503-391-9408	Day Operator assist	30.0	30.95
8	Dec 19	3:14 P	LAKEPLACID, FL from PAYPHONE, OR	503-391-9402	Day Operator assist	17.0	19.38
9	Dec 28	3:14 P	LAKEPLACID, FL from PAYPHONE, OR	503-378-9556	Day Operator assist	10.0	13.15
10	Dec 27	9:21 A	LAKEPLACID, FL from PAYPHONE, OR	503-378-9455	Day Operator assist	27.0	28.28
11	Dec 31	3:13 P	LAKEPLACID, FL from PAYPHONE, OR	503-391-9418	Day Operator assist	23.0	24.72
12	Jan 3	3:17 P	LAKEPLACID, FL from PAYPHONE, OR	503-391-9416	Day Operator assist	17.0	19.38
13	Jan 4	3:04 P	LAKEPLACID, FL from PAYPHONE, OR	503-378-9539	Day Operator assist	28.0	29.17
14	Jan 9	3:19 P	LAKEPLACID, FL from PAYPHONE, OR	503-391-9404	Day Operator assist	14.0	16.71
15	Jan 10	9:28 A	LAKEPLACID, FL from PAYPHONE, OR	503-391-9417	Day Operator assist	23.0	24.72

Total direct dial charges \$222.28

**AT&T charges****Call 1-800-222-0300 for billing inquiries***Sprint provides billing on behalf of AT&T.**There is no connection between Sprint and AT&T.**Please review all charges appearing in this section. Any question regarding these charges should be referred to the number provided for billing inquiries.***Summary of AT&T charges****Long Distance services**

Direct dial charges 170.17

Taxes

Federal tax 5.11

Local Comm. Services Tax 4.15

State Comm. Services Tax 4.03

Total AT&T charges \$183.46**Direct dial itemized calls for**

	Date	Time	Place called	Number called	Period	Minutes	Amount
2	Jul 24	9:25 A	LAKEPLACID, FL		Day	25.0	26.50
		from	PAYPHONE, OR	503-391-9405	Operator assist		
3	Jul 29	6:57 P	LAKEPLACID, FL		Evening	10.0	13.15
		from	PAYPHONE, OR	503-378-9553	Operator assist		
4	Jul 30	3:18 P	LAKEPLACID, FL		Day	8.0	11.37
		from	PAYPHONE, OR	503-378-9639	Operator assist		
5	Jul 31	6:27 P	LAKEPLACID, FL		Evening	29.0	30.06
		from	PAYPHONE, OR	503-378-9639	Operator assist		
6	Aug 3	3:05 P	LAKEPLACID, FL		Night/Weekend	24.0	25.61
		from	PAYPHONE, OR	503-391-9400	Operator assist		
7	Aug 6	2:59 P	LAKEPLACID, FL		Day	16.0	18.49
		from	PAYPHONE, OR	503-378-9455	Operator assist		
8	Aug 15	3:16 P	LAKEPLACID, FL		Day	21.0	22.94
		from	PAYPHONE, OR	503-378-9539	Operator assist		
9	Aug 19	9:30 A	LAKEPLACID, FL		Day	20.0	22.05
		from	PAYPHONE, OR	503-378-9465	Operator assist		

Total direct dial charges

\$170.17



Monthly statement: June 28, 2002

6 of 7

Customer number

**AT&T charges****Call 1-800-222-0300 for billing inquiries***Sprint provides billing on behalf of AT&T.**There is no connection between Sprint and AT&T.**Please review all charges appearing in this section. Any question regarding these charges should be referred to the number provided for billing inquiries.***Summary of AT&T charges****Long Distance services**

Direct dial charges 38.76

Taxes

Federal tax 1.16

Local Comm. Services Tax .95

State Comm. Services Tax .92

Total AT&T charges \$41.79**Direct dial itemized calls**

	Date	Time	Place called	Number called	Period	Minutes	Amount
10	Jun 11	6:49 P	LAKEPLACID, FL		Evening	23.0	24.72
		from	PAYPHONE, OR	503-391-9405	Operator assist		
11	Jun 18	3:25 P	LAKEPLACID, FL		Day	11.0	14.04
		from	PAYPHONE, OR	503-391-9407	Operator assist		

Total direct dial charges \$38.76

**AT&T charges****Call 1-800-222-0300 for billing inquiries***Sprint provides billing on behalf of AT&T.**There is no connection between Sprint and AT&T.**Please review all charges appearing in this section. Any question regarding these charges should be referred to the number provided for billing inquiries.***Summary of AT&T charges****Long Distance services**

Direct dial charges 135.86

Taxes

Federal tax 4.08

Local Comm. Services Tax 3.31

State Comm. Services Tax 3.22

Total AT&T charges \$146.47**Direct dial itemized calls for**

	Date	Time	Place called	Number called	Period	Minutes	Amount
2	Aug 21	8:31 A	LAKEPLACID, FL		Day	30.0	30.95
		from	PAYPHONE, OR	503-391-9416	Operator assist		
3	Aug 28	9:24 A	LAKEPLACID, FL		Day	7.0	10.48
		from	PAYPHONE, OR	503-391-9405	Operator assist		
4	Aug 28	3:14 P	LAKEPLACID, FL		Day	24.0	25.61
		from	PAYPHONE, OR	503-378-9653	Operator assist		
5	Sep 9	2:38 P	LAKEPLACID, FL		Day	5.0	8.70
		from	PAYPHONE, OR	503-378-9653	Operator assist		
6	Sep 9	6:35 P	LAKEPLACID, FL		Evening	29.0	30.06
		from	PAYPHONE, OR	503-378-9639	Operator assist		
7	Sep 13	2:14 P	LAKEPLACID, FL		Day	29.0	30.06
		from	PAYPHONE, OR	503-378-9553	Operator assist		

Total direct dial charges \$135.86

----- Original Message -----

From:

To: @curenational.org>

Sent: Wednesday, October 01, 2003 4:20 PM

Subject: ETC Feedback

> Below is the result of your feedback form. It was submitted by
> on Wednesday, October 01, 2003 at 16:20:30

> -----
> -----

> -----

> -----

> -----

> name: Gary

> -----

> propname:

> -----

> faxnum:

> -----

> homephone:

> -----

> comments: Dear Sir or Madame,

> -----

> I noticed under you notes that WI calls made from Prison where cut in
HALF. I certainly hope NO ONE has ever had to pay TWICE what we did!

> We recieved collect calls from Polk County Jail in Balsam Lake, WI at
> our

Frederic, WI home. (about 25 miles and in the same county) (the phone company is EVERCOM)
these calls cost roughly \$1/Min. if you stay on the allowed 15 Min. If you are on less
than that it can cost as much as \$3 per Min.!!!! I have heard about class action lawsuits
filed in Wisconsin, but have been unable to find out who to contact. Can you help me
please?

> -----

> Thank You,

> Gary

> -----

> Submit: Submit

> -----

> -----
> -----

> -----

> -----

> -----

> -----

----- Original Message -----

From: "tricia

To: "Karen

Cc: "CURE" < @curenational.org>

Sent: Friday, March 14, 2003 12:11 PM

Subject: From Tricia

> Karen: You were discussing previously the conditions for federal
> inmates who are kept in contract facilities, such as county jails,
> including those in transit. I know a federal inmate who is currently
> being kept with nine others (all already serving federal sentences),
> pending trial, in the San Bernadone County (CA) Jail Detention facility
> (also a place where federal inmates in transit are housed). He called
> me, collect, because he had just learned of his mother's death. We
> talked for 11 minutes (CA to Oregon). I received the phone bill today
> from AT & T. \$14.04 for an 11 minute call. That is ludicrous!!
> Just thought I'd let you know - and I'm copying this to National CURE as
> well since they've worked on the telephone issue for so long. Tricia
>
>

----- Original Message -----

From:

To: :@curenational.org>

Sent: Thursday, October 02, 2003 2:16 PM

Subject: ETC Feedback

> Below is the result of your feedback form. It was submitted by
> on Thursday, October 02, 2003 at 14:16:44

> -----

> ----

> -

>

>

> name: Sharon

>

> propname:

>

> homephone:

>

> comments: Sign me up to help! I have just spent all morning on the

> phone

with MCI the provider of phone service for the WY prison. Their service blocked my son's call. Their answer either sign up with them or send them my current phone bill so they can assure that they can bill me. I have contacted the FCC but other than lodging a complaint there is nothing that they can do. This is a disgrace.

>

> Submit: Submit

>

> -----

> ----

> -

>

>

>

Phillip

Burlington, Co. 80807

Date 1-25-04

National CURE
P.O. Box 2310
Washington, D.C. 20013

Chair Person;

I and others, would like to know if we can enjoin the Law Suit on the outrageous telephone charges. Enclosed you will find copies of just a few of my phone bills. One was for over \$5.00 for one minute of time. I was given a copy of one of the pages out of the National Cure letter. The section called " Telephone News " peak my interest in the over charging of the phone company and private corrections. This also includes the Colorado Department of Corrections. I hope to get some type of positive response from the National Cure. I have not been impressed with the local Cure in Colorado. At times, it seem that they were in it for only helping persons of their choice and I was not impressed because when others ask for assistance they are turned down with a group of poor excuses. Enclosed is a copy of the section of the National Cure paper I am talking about. I would like to join in if at all possible.

Thank You for your time and assistance, I can only hope. Also, we need more pro bono Attorney's. Do you have a list of any pro bona Attorney's in Colorado?

Respectfully,

P. S.

Phillip

Correctional Billing Serv charges**Call 1-800-844-6591 for billing inquiries**

*Sprint provides billing on behalf of Correctional Billing Serv.
There is no connection between Sprint and Correctional Billing Serv.
Please review all charges appearing in this section. Any question
regarding these charges should be referred to the number provided
for billing inquiries.*

Summary of Correctional Billing Serv charges**Charges billed on behalf of Evercom Systems, Inc.****Call 1-800-844-6591 for billing inquiries****Long Distance services**

Direct dial charges 51.90

Miscellaneous charges

NOV FED UNIV SVC FND CHG: Nov 21 1.59

Total Evercom Systems, Inc. charges \$53.49

Taxes

Federal tax 1.56

State tax 3.37

Total Correctional Billing Serv charges \$58.42

Evercom Systems, Inc. itemized calls**Direct dial itemized calls**

	Date	Time	Place called	Number called	Period	Minutes	Amount
1	Nov 19	7:27 P	OSSEO, MN		Evening	15.0	17.30
		from	BURLINGTON, CO	719-346-9451	Operator assist		
2	Nov 22	5:19 P	OSSEO, MN		Night/Weekend	15.0	17.30
		from	BURLINGTON, CO	719-346-9451	Operator assist		
3	Dec 10	7:21 P	OSSEO, MN		Evening	15.0	17.30
		from	BURLINGTON, CO	719-346-9451	Operator assist		

Total direct dial charges \$51.90

Correctional Billing Serv charges**Call 1-800-844-6591 for billing inquiries**

*Sprint provides billing on behalf of Correctional Billing Serv.
There is no connection between Sprint and Correctional Billing Serv.
Please review all charges appearing in this section. Any question
regarding these charges should be referred to the number provided
for billing inquiries.*

Summary of Correctional Billing Serv charges

**Charges billed on behalf of Evercom Systems, Inc.
Call 1-800-844-6591 for billing inquiries**

Long Distance services

Direct dial charges 17.30

Total Evercom Systems, Inc. charges \$17.30**Taxes**

Federal tax .52

State tax 1.12

Total Correctional Billing Serv charges \$18.94**Evercom Systems, Inc. itemized calls****Direct dial itemized calls**

	Date	Time	Place called	Number called	Period	Minutes	Amount
2	Oct 15	5:43 P	OSSEO, MN		Evening	15.0	17.30
			from BURLINGTON, CO	719-346-9451	Operator assist		
Total direct dial charges							\$17.30

**MCI charges****Call 1-800-788-3500 for billing inquiries***Sprint provides billing on behalf of MCI**There is no connection between Sprint and MCI**Please review all charges appearing in this section. Any question regarding these charges should be referred to the number provided for billing inquiries.***Summary of MCI charges****Long Distance services**

Direct dial charges 5.29

Taxes

Federal tax .16

State tax .34

Total MCI charges \$5.79**Direct dial itemized calls**

	Date	Time	Place called	Number called	Period	Minutes	Amount
1	Oct 2	5:51 P	OSSEO, MN		Evening	1.0	5.29
			from ORDWAY, CO	719-267-8986	Operator assist		

Total direct dial charges**\$5.29**

May 8, 2003

Ted and Wylene

e-mail:

Federal Communication Commission

445 12th St. SW

Washington, DC 20554

RE: Blocking of calls by MCI and automated interrupted calls.

My first inquiry has to do with the MCI Phone Company blocking collect calls coming from a penal institution. Beginning in January of 2003, MCI began to block these calls if the local phone company, of the party being called, did not have a contract with MCI. **Is this legal?**

Prior to January, these calls appeared on our local phone bill and when the bill was paid, the local phone company forwarded the collect call money to MCI. The parties being called, by those imprisoned, are not just family and friends. Also included are attorneys, therapists, and other professionals. The choices, we have been given, are to change from our local phone company to MCI and/or set up an account with MCI just for the collect calls. For parties who are pleased with their local phone company, they do not necessarily wish to change to MCI. In addition, parties are reluctant to give their business to MCI who is causing them all this grief.

While the second choice of setting up an account with MCI sounds simple, it has proven not be so. I, personally, know of a therapist who has been trying for 6 weeks on and off to set up an account and to this date, has not been successful.

Although we are parents of an incarcerated son, this is not just a personal issue. We are also involved in prison advocacy, ministry work, and a support group of family members. Many, in fact, most all are experiencing identical problems.

5/13/2003

Page 2 of 2

On another subject having to do with calls from prisons. When accepting a collect call from a prison, the party goes through the process of hearing where the call is coming from and given a choice to accept or not accept. That's fine; however, every few minutes, conversations are interrupted to once again let the party know that this call is from a prison, etc. If this message was somewhat muted, but you could still carry on the conversation, that would be acceptable, but, this is not the case. Conversation must be suspended until it is complete before you can continue where you left off. This happens at least 3 to 4 times during a 15-minute automatic cut off. Being charged for all that time is one thing. Most important is the interruption, when the party being called has already accepted the call knowing from where it is coming.

And then I did not even touch on the fact that persons accepting calls from a prison are charged at a greatly accelerated rate as compared to calls on the outside.

Many in Ohio and elsewhere will appreciate your input/suggestions.

Sincerely,

Ted and Wylene

cc: C.U.R.E.-National. (Citizens United for Rehabilitation of Errants)

Washington, DC

5/13/2003

.S

August 28, 2003

Ted and Wylene

e-mail:

Martha E. Contee, Acting Chief

Consumer and Governmental Affairs Bureau

Consumer and Inquiries and Complaints Division

Federal Communications Commission

445 12th St. SW

Washington, DC 20554

RE: IC#03-10042129 (Date Closed: 7/9/2003) - Blocking of calls by MCI and automated interrupted calls.

Chief Contee,

We have received your letter of August 11, 2003 indicating that you were considering this informal complaint closed. Don't close this complaint, as it has not been resolved. Yes, we did receive a letter from MCI dated June 27, 2003; however, by no means was this reply satisfactory or clear in its' explanation. A copy is enclosed for your convenience. The last paragraph states only that the DOC was notified of forthcoming changes in its billing procedures and failure to respond to this notification resulted in restriction of this call type. Perhaps, prison officials were provided advanced notification of the change but inmates were NOT notified. However, that is not the problem. The question is exactly what were the billing procedures changes and how did the DOC fail to respond? What were they to do by responding? This statement indicates that if the DOC had responded that we would not now be having this problem. Can I receive a copy of those instructions?

Our reason for writing to the FCC was not just for someone to forward our letter to MCI, but to become involved in a resolution and to respond if this practice of MCI violates FCC regulations or not. We can only assume that you have no conflict with this practice.

We mentioned in our letter of May 8, 2003 of others experiencing this same problem of calls being blocked from a prison. One of these persons, Paula a therapist, still has a problem with calls being blocked from the Mansfield, OH prison. Attached is a copy of her letter dated July 21st to Mr. Burris. To date she has not received a reply and inmates still cannot get a call through to her. As indicated in her letter, she has even changed her local phone company to SBC (which does have a contract with MCI), paid all old bills, and has been told by MCI that the restriction has been removed, but it has not. Further, the letter from Mr. Burris states "MCI's current Maximum Security Inmate Blocking/Billing procedures". The term of "Maximum" indicates this

9/8/2003

West-Page 2 of 2

new procedure was only for Maximum Security classified institutions. The blocking of calls was not limited to just those facilities. The Mansfield facility is not a maximum-security prison.

I also wished to point out that my original complaint dealt with two issues. This dealt with the automated interruptions during a conversation. During a fifteen-minute call a conversation is interrupted at least three times to "announce" that this call is coming from a prison. The person being called has the opportunity to accept or decline these calls as they are of course, collect calls. The automated interruptions are frustrating and unnecessary. At one time, a call from a prison could be shared with a third party but due to some abuse of that privilege, MCI went to announcing throughout the call from where it was coming so the third party would know this. For a long time; however, the practice of transferring a call to a third party has not been possible. If that is attempted the call is discontinued. For that reason the interruptions are no longer necessary. The announcements take time away from the call and make it somewhat troublesome to continue with your thought process being interrupted. It is also costly.

MCI seemed to believe that their reply in the last paragraph sufficiently explained both issues and that "no further action is warranted". We disagree. We are requesting a more detailed response to BOTH of our concerns, as outlined above.

Sincerely,

9/8/2003